

From: [Vinita Banthia](#)
To: [Jennifer Moore](#)
Cc: [Emily DeVuono](#); [Ashton Smith](#); [Kara Lane](#); [Ben Hulse](#)
Subject: RE: Meet and Confer on Dismissal re: Wireman, 16-cv-3293
Date: Wednesday, April 10, 2019 5:21:47 PM

Hi Jennifer,

3M does not stipulate to substitution of Wireman's estate.

Vinita

Vinita Banthia

Blackwell Burke P.A.
431 South Seventh Street, Suite 2500
Minneapolis, MN 55415
Direct (612) 343-3229
Fax (612) 343-3205

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From: Jennifer Moore <jennifer@moorelawgroup.com>
Sent: Wednesday, April 10, 2019 4:09 PM
To: Vinita Banthia <vbanthia@blackwellburke.com>
Cc: Emily DeVuono <emily@moorelawgroup.com>; Ashton Smith <ashton@moorelawgroup.com>; Kara Lane <kara@moorelawgroup.com>; Ben Hulse <BHulse@blackwellburke.com>
Subject: Re: Meet and Confer on Dismissal re: Wireman, 16-cv-3293

We will not stipulate to a dismissal. As I stated below, we are filing the notice today. We ask that your client stipulate for us to substitute the estate for Ms. Wireman as a party. Thank you.

Jennifer A. Moore
Moore Law Group, PLLC
(502) 717-4080

*Please update your contact with the new law firm name, Moore Law Group, PLLC, and email address, jennifer@moorelawgroup.com.

On Apr 10, 2019, at 1:47 PM, Vinita Banthia <vbanthia@blackwellburke.com> wrote:

Jennifer,

Thanks for your reply. I understand this is a sad time for the family. Since we are hoping to preserve the May hearing date for this matter, and since the SOD is already over a

month late, we plan to proceed with filing the motion tomorrow. Of course, if in the future your client would like to stipulate to a dismissal with prejudice, we would be happy to withdraw our motion and file a stipulation instead. Thank you.

Vinita

Vinita Banthia

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From: Jennifer Moore <jennifer@moorelawgroup.com>
Sent: Tuesday, April 09, 2019 6:26 PM
To: Vinita Banthia <vbanthia@blackwellburke.com>
Cc: Emily DeVuono <emily@moorelawgroup.com>; Kara Lane <kara@moorelawgroup.com>; Ben Hulse <BHulse@blackwellburke.com>
Subject: Re: Meet and Confer on Dismissal re: Wireman, 16-cv-3293

Thank you for contacting us. You are correct that our client passed away leaving behind her husband and children. As you can imagine, her husband has been grieving her loss and that has been his focus, not the lawsuit. We will file the Notice of Death and will be substituting the Estate as a named party. If you would like to discuss further, please call us. Otherwise, please confirm you will not be filing a motion to dismiss tomorrow. Thanks.

Jennifer A. Moore
Moore Law Group, PLLC
(502) 717-4080

*Please update your contact with the new law firm name, Moore Law Group, PLLC, and email address, jennifer@moorelawgroup.com.

On Apr 9, 2019, at 12:35 PM, Vinita Banthia <vbanthia@blackwellburke.com> wrote:

Dear Counsel,

Our independent search of online obituaries indicates that your client Bonnie Wireman, 16-cv-3293, passed away on 11/25/2018, <https://www.imesfuneralhome.com/obituaries/Bonnie-Wireman/>.

The suggestion of death was due on 2/23/2019 but none has been filed. Per Pretrial Order No. 23, a suggestion of death must be filed within 90 days of the plaintiff's death or 90 days after the Order was issued, whichever is later. The Order further provides for dismissal with prejudice of cases that fail to meet the deadlines prescribed by the Order.

Since the suggestion of death is overdue, we will be moving to dismiss Ms. Wireman's case with prejudice unless you stipulate to a dismissal with prejudice by 5:00pm on Wednesday, April 10, 2019. If we do not hear from you by that time, we will proceed with filing the motion. Our understanding is that loss of consortium claims are allowed to proceed independently in Kentucky; hence, we are not moving to dismiss Mr. Wireman's claims at the moment. Thank you, and please let me know if you have any questions.

Sincerely,

Vinita

Vinita Banthia

<image001.png>

Phone: 612.343.3229 | Fax: 612.343.3205
www.blackwellburke.com

<image003.png> <image004.png> <image005.png> <image006.png>

<image001.jpg>

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